

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA, <div style="text-align: center;">Plaintiff,</div> <div style="text-align: center;">vs.</div> THIRUGNANAM RAMANATHAN, <div style="text-align: center;">Defendant.</div>))))))))))	8:07CR30 ORDER
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This matter is before the court on the government's motion for a continuance of the trial date and objection to the date set for the foreign deposition (Filing No. 102). the court held a telephone conference with counsel on January 17, 2008. Richard Green and Michael P. Norris represented the United States. David R. Stickman represented the defendant Ramanathan. Alan Stoler represented defendant Marimuthu.

The defendant Ramanathan noticed a deposition to be taken of defendant Marimuthu in Hong Kong on January 23, 2008 (Filing No. 100). The taking of a deposition had been authorized by the court in a previous order (Filing No. 94). The court appointed Alan Stoler as counsel for Marimuthu for these proceedings upon receiving a request from Marimuthu now serving a sentence of imprisonment in Hong Kong.

Mr. Stoler has had inadequate time to consult with Marimuthu regarding the taking of the deposition. Rather than incurring travel and expenses to a deposition for which Marimuthu would assert his Fifth Amendment privileges to questions asked, the court will continue the deposition of Marimuthu for a period of two weeks. During such time, Mr. Stoler shall consult with Marimuthu and counsel for all parties shall agree upon a new deposition date of Marimuthu in Hong Kong.

The motion to continue the trial in this matter is granted *sine die* and shall be rescheduled following the results of the deposition or attempted deposition of Marimuthu.

IT IS ORDERED:

1. The government's motion for a continuance of trial (Filing No. 102) is granted. Trial will be rescheduled following a Rule 17.1 conference with counsel after the deposition of Marimuthu.

2. The government's objection to the deposition of Marimuthu on January 23, 2008, in Hong Kong (Filing NO. 102) is sustained. The parties shall agree on a new deposition date within **two weeks of January 17, 2008**.

3. Following the taking of the deposition of Marimuthu or the determination that a deposition of Marimuthu would be impracticable, the court will hold a Rule 17.1 telephone conference with counsel to schedule this case for trial.

4. **On or before February 11, 2008**, counsel for the government shall contact the courtroom deputy of the undersigned magistrate judge (Mary Beth Baker at 402-661-7344) in order to schedule the Rule 17.1 conference.

DATED this 18th day of January, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge